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TTY
800-416-5289

Education and Outreach
360-664-1110

Media Line
360-664-1116

Damage Prevention
360-664-1118

The UTC regulates the services of privately or investor owned utility and transportation companies. Our mission is to ensure that services are fairly priced, available, reliable and safe.

Regulated companies:

- Telephone
- Electricity
- Natural Gas
- Water
- Garbage
- Recycling
- Residential Movers
- Charter Buses
- Airport Shuttles
- Commercial Ferries
- Natural Gas Pipelines
- Railroads

General Information
360-664-1160
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Washington's Dig Law Wastewater Operators Responsibilities

Washington's dig law, RCW 19.122, was established in 1986 to protect the state's vulnerable underground utility systems from damage caused by digging. In 2009, the federal government required each state to create, or update, their current dig law to include a number of standards intended to increase safety and keep up with the changing industry. In response to this request, a stakeholder group was established and after two years of work, an updated version of RCW 19.122 was passed by the Legislature.

When does the new law take effect?

The updated version of RCW 19.122 will go into effect January 1, 2013. After that date, you will be required to follow the new requirements when you dig.

What is staying the same for wastewater operators?

The basics haven't changed. You are still required to respond to the request for a utility locate within two business days. You also must continue to mark all locatable facilities within the right-of-way and marked excavation area.

What is changing for wastewater operators?

There are many changes to the law. Facility operators are required to **provide the excavator with reasonably accurate information** by marking facility locations. Most importantly, facility operators must **provide information about the presence of unlocatable facilities**. This must be done by **placing a triangular mark at the main utility line** within the proposed excavation area. Another option is to **arrange a meeting with the excavator at the worksite** to provide available information about the location of service laterals. It is also permissible to **provide copies of the best reasonably available records** to the excavator. A fundamental change important to wastewater operators is the **update to the appurtenance clause, 19.122.30(9)**. Starting January 1, 2013, **only water facility operators** are exempt from marking facilities when their location can be determined by other visible water facilities. The new law requires any other facility operator, including wastewater

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and stormwater, to **designate the presence or location of service laterals** if they connect end users to the facility operator's main utility line and are within a public right-of-way or utility easement.

Another important change is that facility operators must **subscribe to the one-call locator service**. Failure to do so is considered willful intent to avoid compliance.

What else is changing?

The most significant change to Washington's dig law is the creation of a **Safety Committee** that will hear complaints of alleged violations of RCW 19.122 and recommend enforcement action to the Utilities and Transportation Commission.

There has also been a **reporting requirement** added to the new law. Facility operators or contractors who observe or cause damage must report any scrapes, gouges, cracks, dents or other visible damage to the utility to the Utilities and Transportation Commission via the online Virtual DIRT program **within 45 days** of the incident.

What are the penalties for violating RCW 19.122?

If you are found in violation of RCW 19.122, you may be subject to the following penalties:

- Dig without calling two days in advance, pay a \$1,000 fine.
- Dig without calling and damage a utility, pay a \$10,000 fine and triple the repair costs.
- Dig within 35 feet of a transmission pipeline without calling, you may be found guilty of a misdemeanor.
- Dig without calling and damage a transmission pipeline, pay \$10,000 fine, triple repair costs and spend 30 days in jail.

For more information

If you have questions about Washington's dig law or would like more information, call (360) 664-1118. You may also visit the commission's dig law website at www.utc.wa.gov/diglaw.

Resources

Virtual DIRT

www.utc.wa.gov

Online locates

www.callbeforeyoudig.org

Washington 811

www.washington811.com

Common Ground Alliance

www.call811.com